

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14785 of 2019

Arising Out of PS. Case No.-61 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

Bablu Kumar @ Bablu Thakur, Son of Ramdayal Thakur, Resident of Village
- Patahi, P.S.- Sadar, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar Alias Sanidh, Advocate.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 24-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 61 of 2018, registered under Sections
406, 420 and 376/34 of the Indian Penal Code.

The accusation is that informant, Anita Kumari, was
the student of L.P. Shahi Inter College, Muzaffarpur and this
petitioner, who is the brother of cousin sister-in-law of
informant, managed a room for preparing of her examination.
When the examination was over on 20.02.2014, at about 8 P.M.,
this petitioner came at rented room, where informant used to
reside, and committed rape on pretext to perform the marriage.
On 15.01.2017, when her father approached to the family of the



petitioner to perform the marriage of her daughter with the petitioner then this petitioner disclosed that he is the Block Education Teacher and at least, Rs.10,00,000/- is required as dowry. Thereafter, her father went at the house of the petitioner and gave Rs.1,00,000/- and after few days, petitioner called the informant at rented room and developed the physical relation with her but lastly refused to perform the marriage.

Learned counsel for the petitioner submits that, in fact, informant is the distant relative of the petitioner due to that reason, father of the informant approached to the family of the petitioner to settle the marriage of informant with the petitioner but the marriage could not be settled due to that reason, only to give undue pressure, father of the informant managed to lodge the present case with false allegation. Further submission is that informant has given different story in her statement recorded under Section 164 of the Cr.P.C.

On the other hand, learned counsel for the informant submits that while the informant gave the statement under Section 164 of the Cr.P.C. but the aforesaid statement was not recorded into.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Muzaffarpur, in connection with Mahila P.S. Case No. 61 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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